

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

The City Council convened in Regular Session on Tuesday, September 2, 2008, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Larry Muench, Ron Stivison, Richard Veit, and Michael Weller. Absent: None. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46903

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS

The President of the Council Jerry Reese announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

- A. Case No. CU-17-08. (Daniel Honerkamp - Shive Hattery) An application for a Conditional Use Permit to construct a new cell tower within the C-2 General Business District and the Extended Historic District. The applicant proposes to construct an eighty (80) foot stealth monopole tower with associated equipment and screening within the existing parking lot area. The subject property is located at 200 N. Kingshighway (Band Box Cleaners) in Ward One. ***(Withdrawn by Applicant)***
- B. Case No. DR-06-08. An application to create a new section within Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, specifically Section 156.097: Portable On Demand Storage, by adding language to allow the use and limit the time and location of temporary, portable storage units within the City of St. Charles. ***(Council Bill 9747)***
- C. Case No. Z-13-08. (Craig Enterprises, Inc.) An application to rezone a tract of land within the City of St. Charles. The property is located at 1630 North Second Street, otherwise known as Parcel Id: 6-007C-B047-00-1.2. The applicant is requesting to rezone the tract of land from the FHCD Frenchtown Historic Commercial District to C-2 General Commercial District. The tract of land is approximately 0.32 acres in size and is located in Ward One. ***(Withdrawn by Applicant)***
- D. Case No. Z-14-08. (Mike Myers) An application to rezone a tract of land within the City of St. Charles. The property is located at 2410 North Eighth Street, otherwise known as Parcel Id: 6-006A-4431-0K-57. The applicant is requesting to rezone the tract of land from the R-1E Single Family Residential to R-2 Two-Family Residential District. The tract of land is approximately 0.12 acres in size and is located in Ward One. ***(Tabled by Planning & Zoning Commission; therefore the Public Hearing Should be Tabled until November 4, 2008)***

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

-
- E. Case No. CU-22-08. (Seasonal Ventures, LLC-Dan Gould) An application for a conditional use permit for temporary retail sales, specifically a seasonal haunted house, at 1107 North Second Street. The applicant proposes to conduct a haunted house at the subject property from September 18th through November 2nd. The proposed haunted house will have off-site parking and on-site, outdoor ticket, concession and souvenir sales within the FHCD Frenchtown Historic Commercial District. The tract of land is approximately 0.12 acres in size and is located in Ward One. **(RCA Attached)**
- F. Case No. CU-23-08. (Ray Inc., dba, Import Auto) An application for a conditional use permit for an auto repair use at 415 North Fifth Street. The applicant proposes to conduct the business in an existing structure previously used for auto repair in the Central Business District (CBD). The tract of land is approximately 0.40 acres in size and is located in Ward One. **(RCA Attached)**
- G. Case No. DR-07-08. An application to create a new section within Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, specifically Part 4 of the Sign Regulations: Billboards and amending Sections 156.630 Definitions, 156.712 Electronic Message Signs and 156.726 Prohibited Signs. **(Council Bill 9758)**
- H. Establishment of The Fountain Lakes Commerce Center North Community Improvement District Pursuant to the Missouri Community Improvement District Act, Sections 67.1401 Through 67.1571 RSMo., in Accordance with the Second Amended Petition **(Council Bill 9741)**

RESOLUTIONS/AWARDS/PROCLAMATIONS

Presentation of Checks to Grant Recipients BCI Foundation, Frenchtown Heritage Museum, Lewis & Clark Boat House, and Youth in Need

BCI Foundation. Presentation of check was made to grant recipient BCI Foundation; and a brief presentation was given by Vicki White and Leslie Pugh explaining the functions of the organization.

Frenchtown Heritage Museum. Presentation of check was made to grant recipient Frenchtown Heritage Museum; and a brief presentations was given by Dorothy Boshears explaining the functions of the organization.

Lewis & Clark Boat House. Presentation of check was made to grant recipient Lewis & Clark Boat House; and a brief presentation was given by Bill Brecht and Mimi Jackson explaining the functions of the organization.

Youth in Need. Presentation of check was made to grant recipient Youth in Need; and a brief presentations was given by Karen Sieve explaining the functions of the organization.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

RECESS INTO CLOSED SESSION

A roll call vote was taken to recess into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1); and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9), at 7:45 p.m., with the following results: "Aye": Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, and Muench. "Nay": Kneemiller. Absent: None. Motion passed.

RECONVENE IN OPEN SESSION

The City Council reconvened in Open Session at 7:55 p.m., in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Larry Muench, Ron Stivison, Richard Veit, and Michael Weller. Absent: None.

RESOLUTIONS/AWARDS/PROCLAMATIONS (continued)

A Resolution Dedicating Real Property Located at 500 Fairgrounds Road to the St. Charles Parks and Recreation Board for its Development, Care and Maintenance
(Sponsor: *Laurie Feldman*)

Passed "Aye": Stivison, Veit, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese
 "Nay": None
 Absent: Weller

Approved by the Honorable Mayor on September 2, 2008, and is known as **Resolution R08-24**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9760 Relative to Allowing Pot-Bellied Pigs as a Domestic Pet
Dorothy Korth, 2800 Holiday Lane, spoke in opposition to Council Bill 9760.

Consent Agenda Item 8.G.5. Recommendation to Lift the Stop Work Order at 448 Pearl Ridge Court

Steve Branstetter, 448 Pearl Ridge Court, distributed information relative to storm water run-off at 448 Pearl Ridge Court; and spoke in favor of lifting the stop work order at 448 Pearl Ridge Court. Discussion ensued relative to lifting the stop work order. Councilmember Michael Klinghammer requested a report from the Public Works Department relative to the reason that the City prohibits underground storage facilities for detention ponds. A motion was made by LAURIE FELDMAN to advance Item 8.G.5. *Recommendation to Lift the Stop Work Order at 448 Pearl Ridge Court* on the agenda. RICHARD VEIT seconded the motion. All voted in favor, motion passed.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

A motion was made by LAURIE FELDMAN to recommend to the Mayor that the stop work order be lifted at 448 Pearl Ridge Court. RICHARD VEIT seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller. "Nay": None. Absent: None. Motion passed.
File #46909

BILLS FOR FINAL PASSAGE

Bill 9730 (Amended)

An Ordinance Amending Section 50.02(A) of the Code of Ordinances of the City of St. Charles, Missouri Pertaining to the Hours of Trash Collection (*Sponsors: Erv Ermeling and Richard Veit*)

A motion was made by ERV ERMELING to amend Council Bill 9730 to reduce the 6:00 a.m. collection to three months (June, July and August); and to clarify that the 6:00 a.m. collection does not include commercial properties. RICHARD VEIT seconded the motion. All voted in favor, motion passed.

Bill 9731

An Ordinance Amending Sections 50.31(C), 50.32, 50.34 and 50.71(B) of the Code of Ordinance Pertaining to Solid Waste Collection and Disposal Services (*Sponsor: Laurie Feldman*)

Passed "Aye": Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
"Nay": None
Absent: None

Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-178**

Bill 9732

An Ordinance Authorizing an Easement Encroachment License Agreement with Eric Heien for the Construction and Maintenance of a Retaining Wall Located at 1279 Shorewinds Trail (*Sponsor: Laurie Feldman*)

Passed "Aye": Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
"Nay": None
Absent: None

Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-179**

Bill 9733

An Ordinance Authorizing a Contract with Mississippi Lime for the Purchase of ½" Bulk Pebble Lime for the Elm Point Water Treatment Plant in an Amount Not to Exceed \$247,247.00 (*Sponsor: Michael Klinghammer*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
 “Nay”: None
 Absent: None
Approved by the Honorable Mayor on September 12, 2008, and is known as **Ordinance 08-189**

Bill 9734

An Ordinance Authorizing Acceptance of Development Improvements of Water, Storm Sewer Utilities, City Streets and Their Appurtenances at The New Town at St. Charles Plat #5 and Release of Security (Sponsor: Michael Klinghammer)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
 “Nay”: None
 Absent: None
Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-180**

Bill 9735

An Ordinance Authorizing Acceptance of Public Utilities and Streets and Their Appurtenances Constructed at Brighton Park Plat 1 and Release of Security (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
 “Nay”: None
 Absent: None
Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-181**

Bill 9736

An Ordinance Authorizing Acceptance of the Relocation of 288 LF of 4" PVC Force Main at Lot #16 of the Manors of Wynnbrooke and Release of Security (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
 “Nay”: None
 Absent: None
Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-183**

Bill 9737

An Ordinance Authorizing a Cooperation Agreement between the City of St. Charles as well as South Drive LLC and 1600, VMP LLC and 1560, VMP LLC (*Sponsors: Laurie Feldman and Larry Muench*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
“Nay”: None
Absent: None
Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-184**

Bill 9738

An Ordinance Authorizing Amendment Number 3 to the Foundry Art Center Management Agreement (*Sponsors: Jerry Reese, Richard Veit, Larry Muench, Laurie Feldman, Michael Klinghammer, Ron Stivison, and Erv Ermeling*)

A separate vote was taken on Council Bill 9738, with the following results:

Passed “Aye”: Weller, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit
“Nay”: Beckering
Absent: None

Approved by the Honorable Mayor on September 12, 2008, and is known as **Ordinance 08-190**

Bill 9739

An Ordinance Authorizing a Contract with Integrian, Inc. for the Purchase of Twenty-Two (22) Vehicle Mounted Cameras with Digital Recording, Related Hardware and Equipment for Wireless Downloading of all Video to a Secure Computer Server for the Police Department in an Amount Not to Exceed \$143,469.00 (*Sponsor: Jerry Reese*)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
“Nay”: None
Absent: None

Approved by the Honorable Mayor on September 11, 2008, and is known as **Ordinance 08-188**

Bill 9740

An Ordinance Authorizing an Agreement with the First Capitol Lions Club and the St. Charles Jaycees for the Purpose of Conducting the “Taste of Germany” Special Event to be Held on Wednesday, October 1, 2008 Which Shall Include the Placing of Booths on a Portion of the Main Street Sidewalk for the Dispensing of Alcoholic Beverages and Sale of Food to the Public, and the Providing of Live Entertainment (*Sponsor: Larry Muench, Richard Veit, Laurie Feldman, Bob Kneemiller, Michael Weller, Jerry Reese, Dave Beckering, Michael Klinghammer, Ron Stivison, and Erv Ermeling*)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison
“Nay”: None
Absent: None

Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-184**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Bill 9741

An Ordinance Approving a Petition Requesting the Formation of The Fountain Lakes Commerce Center North Community Improvement District; Establishing the District as a Political Subdivision of the State of Missouri; and Directing the City Clerk to Notify the Missouri Department of Economic Development of the Creation of the District

(Sponsor: *Michael Klinghammer*)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison

“Nay”: None

Absent: None

Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-185**

Bill 9742

An Ordinance Authorizing Amendment No. 1 to the Cooperation Agreement and Amendment Number 1 to the Management Agreement Between the City of St. Charles and ShowMe Aquatics & Fitness (Sponsor: *Jerry Reese*)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison

“Nay”: None

Absent: None

Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-186**

Bill 9743

An Ordinance Ordering that Assessments Be Made Against Benefited Properties Situated Within a Portion of the New Town at St. Charles Phase Ten Neighborhood Improvement District Based Upon Revised Estimated Costs of Certain Proposed Improvements Within the District; Ordering Preparation Of an Assessment Roll for Said Area; and Calling for a Public Hearing and Providing Direction for the Giving of Notice Thereof; all Pursuant to the Neighborhood Improvement District Act (Sponsor: *Michael Klinghammer*)

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison

“Nay”: None

Absent: None

Approved by the Honorable Mayor on September 3, 2008, and is known as **Ordinance 08-187**

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9744

An Ordinance Amending Ordinance Number 07-316 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2008 (Budget Amendment #5) (Sponsors: *Jerry Reese and Michael Klinghammer*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Bill 9745

An Ordinance Authorizing Amendment No. 6 to the Contract with Environmental Management Corporation (EMC) for the Operation and Maintenance of the City's Wastewater Treatment Facilities (*Sponsor: Michael Klinghammer*)

Bill 9746

An Ordinance Vacating a Ten (10) Foot Wide Utility Easement Located on Lot 23C of Fountain Lakes Commerce Center Plat 6 (*Sponsor: Michael Klinghammer*)

Bill 9747 (Amended Prior to Introduction)

An Ordinance Amending Chapter 156 of the Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri by Adding a New Section, to be known as Section 156.097, Pertaining to Portable On Demand Storage ("PODS") Containers (*Sponsors: Jerry Reese and Larry Muench*)

A motion was made by BOB KNEEMILLER to amend Council Bill 9747 to remove all references to the Portable on Demand Storage Containers as "PODS". LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Bill 9748

An Ordinance Approving the Record Plat for St. Charles Hospitality Subdivision, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Bill 9749

An Ordinance Approving the Record Plat for the Resubdivision of Lots 2, 3 and 4 of Arco Business Park, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

Bill 9750

An Ordinance Approving the Record Plat for Fountain Lakes Commerce Center Plat Seven, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Bill 9751

An Ordinance Authorizing the Acquisition by Purchase or the Exercise of Eminent Domain of Real Property Currently Known as Cemetery Lane and Also Known as Schaeffer Place For Use as a Public Street (*Sponsors: Larry Muench, Erv Ermeling, Richard Veit, Michael Klinghammer, and Ron Stivison*)

Bill 9752

An Ordinance Authorizing an Easement Encroachment License Agreement with Michael B. Ramos and Tina M. Serrano for the Construction and Maintenance of a Deck on a Five Foot Permanent Easement Located at or Near 404 Tuscany Trace Court (*Sponsor: Laurie Feldman*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Bill 9753

An Ordinance Authorizing Contracts with Social Service Agencies for Administering Programs Benefiting St. Charles Citizens Utilizing Community Development Block Grant Funds for the Program Year January 1, 2008 – December 31, 2008 (*Sponsor: Jerry Reese*)

Bill 9754

An Ordinance Authorizing a First Amendment to the Cooperative Agreement Among the City of St. Charles, The St. Charles Riverfront Transportation Development District, and The St. Charles Riverfront Community Improvement District for the Construction of the Right Turn Lane From Northbound Fifth Street to Eastbound Ameristar Boulevard (*Sponsor: Larry Muench*)

Bill 9755

An Ordinance to Authorize Filing of an Application with the Missouri Department of Transportation, Multimodal Operations Division – Transit Section, for Section 5309 – Capital Program Assistance for the Purchase of Four Busses and Seven Bicycle Racks for the St. Charles SCAT Fleet; Authorize Acceptance of Grant Funds; and Authorize Execution of All Necessary Documents and Performance of all Acts to Accept and Receive the Grant (*Sponsors: Larry Muench, Bob Kneemiller, Michael Weller, Jerry E. Reese*)

Councilmember Laurie Feldman requested that her name be added as a sponsor.

Bill 9756

An Ordinance Approving the Record Plat for Elm Point Place Resubdivision Plat, Lots 42 and 45, a Subdivision in the City of St. Charles, Missouri (*Sponsor: Michael Klinghammer*)

Bill 9757

An Ordinance Annexing Certain Adjacent and Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Land Petitioned for Annexation by Merz Investments, L.P., Three (3) Parcels of Land Located on Portion of an Approximate Twenty Foot Wide Private Drive that Separates The New Town at St. Charles and Charlestowne Developments; Approving an Annexation Agreement with Merz Investments, L.P. and GGW Development Company, Inc.; and Approving and Accepting Dedication of Right of Way (*Sponsor: Michael Klinghammer*)

Bill 9758

An Ordinance Repealing Chapter 157 of the Code of Ordinances in its Entirety and Amending Chapter 156 of the Code of Ordinances by Amending Sections 156.630, 156.712 and 156.726, and Adding Sections 156.740, 156.741, 156.742 and 156.743 Pertaining to Signs and Billboards (*Sponsor: Larry Muench*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Bill 9759

An Ordinance Authorizing a Termination Agreement with Dave Kolb Grading for the Pearl Ridge Storm Sewer Relief Project (*Sponsor: Laurie Feldman*)

Bill 9760

An Ordinance Amending Chapters 91 and 156 of the Code of Ordinances by Amending: Section 91.03, Pertaining to Definitions; Section 91.15, Pertaining to Animal Registration; Section 91.20, Pertaining to the Display of Registration Tags; Section 91.45, Pertaining to the Number of Animals Allowed at a Residence; and Section 156.085, Pertaining to Animals by Adding Language to Allow Occupants of Dwelling Units in All Residential Zoning Districts and Dwelling Units in the C-O and C-1 Zoning Districts to Allow One (1) Pot-Bellied Pig as a Domestic Pet (*Sponsor: Erv Ermeling*)

Councilmember Richard Veit requested that his name be added as a sponsor. Councilmember Laurie Feldman stated, for the record, that she is not supporting Council Bill 9760.

Bill 9761

An Ordinance Authorizing the Mayor and City Clerk to Execute a Contract with Colliers Turley Martin Tucker to Provide Real Estate Brokerage Services for the Sale, Solicitation, Advertising and Negotiation for the Sale of an Approximate 26.5 Acre Parcel of City Property Located Near Highway 370 and Little Hills Expressway (*Sponsor: Jerry Reese*)

Councilmember Richard Veit requested that his name be added as a sponsor.

CONSENT AGENDA

Item 8.G.5. *Recommendation to Lift the Stop Work Order at 448 Pearl Ridge Court* was advanced on the agenda and is recorded on Pages 234 and 235. Councilmember Michael Klinghammer removed *Item 8.G.1. Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Veterans Memorial Parkway Community Improvement District* from the Consent Agenda. A motion was made by LARRY MUENCH to receive and approve the balance of the Consent Agenda. MICHAEL KLINGHAMMER seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: None. Motion passed.

A. Approval of Council Minutes

1. Special Council Meeting of August 12, 2008
2. Regular Council Meeting of August 19, 2008
3. Public Hearing of August 19, 2008

File #46904

B. Approval of Council Committee Reports

1. Approval of Council Committee Minutes
 - a. Technology Committee Meeting of August 4, 2008

File #46734

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

File #46775 b. Street Committee Meeting of August 12, 2008

File #46725 c. Council Work Session of August 12, 2008

2. Approval of Council Committee Motions/Actions/Recommendations

a. Street Committee Meeting of August 12, 2008

- i. Schaeffer Place – Motion to Determine Steps to Designate Road as a City-Owned Alley; and Remove Barricade
- ii. Boschert Drive – Public Work to look into Alternative Speed Control Methods, Report Recommendations to the Committee
- iii. Motion to Direct Staff to Provide a Copy of the Proposed Capital Improvement Ten Year Plan for Street and Intersection Projects to all Members of the City Council Requesting Their Input
- iv. Motion to Direct Staff to Provide a Report of Costs to Purchase Templates, Stencils, and Equipment Necessary to Perform Emergency Street Striping Project In-House Within the Next Two Weeks; and for Staff to Recommend that the Public Works Department Perform Crack Sealing Projects In-House to the Mayor and Council, and to Add the Cost to the Operating Budget

C. Receipt of Reports from Boards, Commissions or Committees

1. Arts & Culture Commission Meeting of July 14, 2008

- a. Approval of Grant Application to Flood Stage Productions in the Amount of \$5,000
- b. Motion to Decline Funding Request from C.R.E.A.T.E. Inc.
- c. Motion to Inform David Scott, Event Coordinator for Tartan Days, that the Remaining 20% of the Approved Funding will be Relinquished if Final Accounting is not Received within 10 Business Days

File #46751

2. Board of Public Works Meeting of July 19, 2008

- a. Motion to Recommend Allowing Fences with a Height of Six Feet or Less to be Constructed Without a License Encroachment Agreement
- b. Adams Stormwater Project – Motion Recommending Approval of the Change Order to Replace the Existing 30” Pipe with a New 36” Pipe in the Amount not to Exceed \$60,952.10

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

-
- c. Cambrian Emergency Repair – Motion to Recommend Approval of an Emergency Repair Contract to Correct the Erosion Issue at the Creek Which has Exposed a Portion of the Manhole at the Sanitary Sewer Crossing
 - d. Water Hauler Unit and Water Tokens – Motion to Raise the Rate Per Token to \$3.00/Thousnad Gallons of Water Dispersed
 - e. Motion to Recommend Acceptance of the Water Line Along Bass Pro Drive from Greater Missouri Builders, After the Installation and Inspection of the Valve Noted on the Plan Submitted, and the Correct Identification and Location of Tapping Valves for the Businesses Located on the Section of Water Main on Bass Pro Drive.
 - f. Missouri River Wastewater Treatment Facility - Motion to Recommend Approval of Change Order #1 fro Sludge Treatment and Disposal System in an Amount not to Exceed \$9,900
 - g. Mississippi River Wastewater Treatment Facility – Motion to Recommend Approval of Change Order #1 for Sludge Treatment and Disposal System in an Amount not to Exceed \$19,900.00

File #46765

- 3. July 4th Celebration Committee Meeting of June 11, 2008

File #46764

- 4. Cable Television Commission Meeting of May 7, 2008
Motion that the City Channel Logo be Modified to Reflect the Change in Channel Number by Removing “20”, Reboxing SC and Adding the Text “City” Below “Charles” Under the Box; and that this be used Temporarily Until a More Definitive Branding Redesign can be Accomplished
- b. Motion that the Cable Commission Chair Contact Other Cable Government Access Channels to Explore Options for Coordinated Actions which Might Lead to Maintaining These Channels Free and Accessible to Citizens

File #46819

- 5. Cable Television Commission Meeting of June 4, 2008
Motion Recommending to the Mayor and Council that the City Pursue any Action Necessary to Resolve On-Going Citizen Complaints Relative to the Relocation of the City Government Access Channel
- b. Motion Nominating Michael Barfield as Secretary of the Commission
- c. Motion that the Commission Congratulates Joe Fields and Thanks Him for his Contributions to the City’s Cable Television Operation Over the Years

File #46819

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

-
- | | | |
|-------------|-----|---|
| File #46779 | 6. | Landmarks Board Meeting of July 21, 2008 |
| File #46736 | 7. | Youth Advisory Commission Meeting of June 26, 2008 |
| File #46736 | 8. | Youth Advisory Commission Meeting of July 17, 2008 |
| | 9. | St Charles Senior Citizens Advisory Commission Meeting of June 17, 2008 |
| | a. | Motion to Decline the Invitation from the O'Fallon Senior Committee to Take Turns Holding Public Forums, at this time, Due to our Limited Seating and the Distance Between the Locations |
| | b. | Motion to Re-Invite State Representative Sally Faith and Senator Tom Dempsey to Report on the Recent Legislative Session |
| | c. | Motion to Invite Carol Rosse-Felzien to the October Meeting; and Police Chief Dennis Corley to the November Meeting |
| File #46761 | 10. | St Charles Senior Citizens Advisory Commission Meeting of July 15, 2008 |
| File #46761 | | |
| | D. | Receipt of Reports of the Director of Administration
None |
| | E. | Approval of Contracts and Easements from \$30,001 - \$99,999 |
| File #46905 | 1. | Contract with Bax Engineering Company for the Elm Street Roadway Widening Improvements Project in an Amount not to Exceed \$83,668.00 |
| File #46906 | 2. | Approval of Supplemental Agreement No. 2 with St. Charles Engineering & Surveying, Inc. for the West Adams Storm Sewer Project in an Amount not to Exceed \$600.00; Total Contract Amount \$34,900.00 |
| File #46907 | 3. | Contract with AGR Construction Company for the Lewis & Clark Boathouse Sidewalk Expansion Project, Bid #3494, in an Amount not to Exceed \$48,444.37 |
| File #46908 | 4. | Renewal Contract with Asphaltic Maintenance for Asphalt Pavement Repairs for the Water Division in an Amount not to Exceed \$50,000.00 |
| | F. | Preliminary Plats
None |

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

G. Miscellaneous

1. Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Veterans Memorial Parkway Community Improvement District

REMOVED FROM THE CONSENT AGENDA

2. Approval of Home Improvement Loans

File #46810

3. Notice of Emergency Purchases

File #46711

4. Liquor License Application for Aaron K. Kranz, d/b/a: Buckets on Main, located at 143 North Main Street

File #46710

5. Recommendation to Lift the Stop Work Order at 448 Pearl Ridge Court

REMOVED FROM THE CONSENT AGENDA

6. Authorization to Release Funds in Discretionary Accounts

File #46756

ITEM REMOVED FROM THE CONSENT AGENDA

Item 8.G.1. Receipt of the Proposed Annual Budget for 2009 as Submitted by the Board of Directors of the Veterans Memorial Parkway Community Improvement District

A motion was made by MICHAEL KLINGHAMMER to hold Item 8.G.1. to clarify that the correct documents were included with the RCA.

Item 8.G.5. Recommendation to Lift the Stop Work Order at 448 Pearl Ridge Court

Item 8.G.5. was advanced on the agenda and approved as reported on Pages 234 and 235 of the Record.

REPORT OF THE MAYOR

Presentation of City Clerk Marilyn McCoy

City Clerk Marilyn McCoy gave a presentation relative to the activities of the City Clerk's Office.

Budget Amendment No. 5 (Council Bill 9744)

The Honorable Mayor Patricia M. York explained the items included in Budget Amendment No. 5.

Appointments to Boards and Commissions

A motion was made by LAURIE FELDMAN to approve the following Councilmember appointments to the Convention Center Oversight Committee and the Community Center Oversight Committee as presented by the Honorable Mayor Patricia M. York:

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Community Center Oversight (Phase I – Design/First Stage of Construction): Bob Kneemiller, Michael Weller, Laurie Feldman, and Michael Klinghammer.

Community Center Oversight (Phase II– Second Stage of Construction/Operations): Larry Muench, Jerry Reese, Richard Veit, and Bob Kneemiller

Convention Center Oversight: Councilmembers Larry Muench, Ron Stivison, Jerry Reese, and Richard Veit.

RON STIVISON seconded the motion. A roll call vote was taken, with the following results: “Aye”: Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, and Ermeling. “Nay”: None. Absent: None. Motion passed.

Written and/or Verbal Messages from the Mayor

Quilts on Main. The Honorable Mayor Patricia M. York announced that Quilts on Main is scheduled for Saturday, September 6, 2008, on Main Street.

Tour of Missouri. The Honorable Mayor Patricia M. York announced that the Tour of Missouri is scheduled for Saturday, September 13, 2008.

Mosaics. The Honorable Mayor Patricia M. York announced that the Mosaics Festival is scheduled for September 19-21, 2008, on North Main Street.

Oktoberfest. The Honorable Mayor Patricia M. York announced that the Oktoberfest is scheduled for September 26-28, 2008.

The Blast. The Honorable Mayor Patricia M. York announced that The Blast sponsored by the Chamber of Commerce is scheduled for September 27, 2008, in New Town.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Possible Cancellation of the September 9, 2008 Council Work Session Due to the Missouri Municipal League Conference; and Scheduling CIP Discussions

It was the consensus of the Council to proceed with the Council Work Session on September 9, 2008, to discuss the Capital Improvement Plan.

Update on Elm Street Reconstruction Project

Councilmember Dave Beckering gave an update on the Elm Street Reconstruction Project.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
September 2, 2008

Written and/or Verbal Messages from the Councilmembers

Project Safe Place (sponsored by Youth in Need). Councilmember Bob Kneemiller stated that the City of St. Charles has the most Project Safe Place locations in the area, which is a credit to the businesses and residents within the City.

TABLED BILLS/PUBLIC HEARINGS

Bill 9727 (*Removed from the Table*)

An Ordinance Approving an Administrative Regulation Relating to Towing Services
(Sponsors: *Jerry Reese, Larry Muench, Bob Kneemiller, Dave Beckering, and Ron Stivison*) (**Tabled on August 19, 2008**)

A motion was made by MICHAEL KLINGHAMMER to remove Council Bill 9727 from the table. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

The Regular Council Meeting was adjourned at 9:13 p.m.

September 16, 2008
Date/Approved
Maia A. McCoy
City Clerk

Jerry Reese
Jerry Reese, Presiding Officer